



Atty. Dkt. No 085449-0112

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jan DIETRICH et al.
Title: MEANS OF APPLYING A
PRINTED IMAGE TO A TEXTILE
SUBSTRATE
Appl. No.: 09/942,045
Filing Date: 08/30/2001
Examiner: B. Shewareged
Art Unit: 1774

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RESPONSE TO RESTRICTION REQUIREMENT WITH TRAVERSE

Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Office Action dated October 2, 2003, Applicants hereby elect the claims of Group I, claims 1-15, for prosecution in the subject application. In addition, Applicants traverse the restriction requirement insofar as it relates to the claims of Group IV, namely, claims 19 and 20, and wish to include in the foregoing election the subject matter of these two additional claims, for the following reasons.

Upon allowance of the elected claims, Applicants will be permitted to request rejoinder in accordance with MPEP 821.04 and *In re Ochiai*, 71 F.3d 1565 USPQ2d 1127 (Fed.Cir. 1995) of method claims 16, 17, and 18, all of which include the subject matter of claim 1. Claims 19 and 20 are directed to the products formed by the methods claimed in claims 17 and 18. Thus, the subject matter of claims 19 and 20 is very closely linked with the elected subject matter of Group I, and clearly those claims will be allowable upon the allowance of the elected claims. Thus, no additional burden is presented for the PTO to examine claims 19 and 20 with the elected claims, certainly not upon finding the elected claims allowable.

For these reasons, examination of claims 19 and 20 is respectfully requested along with the elected subject matter of Group I. Receipt of the initial Office Action on the merits is awaited.

Respectfully submitted,

Date February 28, 2003

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